

EXHIBIT A

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
Case No. 09-10156-alg; Adv. Proc. No. 09-01198-alg
- - - - -x
In the Matter of:
TRONOX INCORPORATED, ET AL.,
Debtors.
- - - - -x
TRONOX INCORPORATED, ET AL.,
Plaintiffs,
- against -
ANADARKO PETROLEUM CORPORATION, ET AL.,
Defendants.
- - - - -x
United States Bankruptcy Court
One Bowling Green
New York, New York
December 22, 2011
10:23 AM
B E F O R E:
HON. ALLAN L. GROPPER
U.S. BANKRUPTCY JUDGE

1 all of our microbes.

2 THE COURT: That's hearsay, it's excludable, and I
3 don't think they'd even try to get it in. I am not going to
4 try a creosote case in this litigation. And if anybody thinks
5 I am, they're just -- it's already projected at I think six
6 weeks. I'm not trying that case.

7 MR. LOTTERMAN: Your Honor, that's good news to my
8 ears.

9 THE COURT: You can be confident of that.

10 MR. LOTTERMAN: Okay. All right.

11 THE COURT: But obviously, there were some cases that
12 preceded 2005.

13 MR. LOTTERMAN: Sure.

14 THE COURT: There were cases that came after 2005.

15 MR. LOTTERMAN: Right.

16 THE COURT: There was a, you would say unscrupulous
17 but highly charged plaintiffs' lawyer --

18 MR. LOTTERMAN: No pun intended.

19 THE COURT: -- getting interested in the issue, and I
20 think an expert can draw certain conclusions as your expert can
21 draw certain conclusions, based on the facts. But I assure
22 you, I'm not trying a creosote case, I'm not trying -- how
23 many -- thirty or forty environmental cases as to whether
24 the -- as to specifics about the liability, and I'm not going
25 to be influenced one way or another by the fact that Mr. Powell

1 been anticipated.

2 MR. LOTTERMAN: Right.

3 THE COURT: And I'll -- perhaps that an issue I'll
4 have to consider, and I hope the briefing on it is concise.
5 But it may be an important point.

6 MR. ZEIGER: Your Honor, very briefly, what I would
7 propose is that we look at the highlighted testimony. Again,
8 some of them -- we have gone back and forth on this. We've met
9 in person to discuss it. I'd like to take another look at it
10 to find examples like that where I frankly thought it was
11 overreaching, but I take your point, too, that it could have
12 been found --

13 THE COURT: We are not trying a creosote case.

14 MR. ZEIGER: That I understand.

15 THE COURT: We're not trying any of the individual
16 cases. We can't possibly.

17 MR. ZEIGER: That --

18 THE COURT: And I know that you have on your team
19 plaintiffs lawyers in the tort area who always want the trier
20 of fact to get a feel for the cases and the individuals. I
21 have indivi -- you saw today, I have individuals who come
22 before me, and there is no jury. But it is possible to be
23 evenhanded to all sides. And I can't try a creosote case, but
24 there doesn't seem to be any issue that there was a creosote
25 issue, there was a creosote history, and one never knows what